

REMARKS:

This paper is filed in response to the final Office Action dated March 11, 2008 for the above-captioned U.S. Patent Application. That office action is a final rejection of claims 1-6, 8-16, 18-20 and 22-29.

More specifically the Examiner rejects claims 1-3, 5-6, 8, 16, 18-20, and 22-26 under 35 USC 103(a) as being unpatentable over Barrus (US5410305); rejects claims 4, 9-10, and 27 under 35 USC 103(a) as being unpatentable over Barrus in view of Wright (US6912605); and rejects claims 11-15 and 28-29 under 35 USC 103(a) as being unpatentable over Barrus in view of Kammer (US6950645). The Applicant disagrees with the rejections.

The Applicant notes that the claims are not further amended.

An embodiment of the invention as defined by independent claim 1 relates to a device which has a first mode and a second mode and a touch entry device for user input. The device is operable to perform a first function when it is in the second mode but not when it is in the first mode. The device is arranged to initiate exit from the first mode and entry into the second mode at the initiation of a user input and to perform the first function at the completion of the user input. The exit from the first mode occurs before the discrimination of the user input.

Independent claim 18 relates to a corresponding method.

In the teleconference of 12th May 2008 the Examiner objected to the terms “initiation of a user input” and “completion of a user input” as not clear. However, the Applicant maintains that these terms are clear when given their ordinary meaning which is seen to be **the start** of the user input and **the end** of the user input. The Applicant also maintains that it is clear from the description and the figures what is meant by the terms “initiation of a user input” and “completion of a user input”. For example figure 2 illustrates the timings of the depression of a key and the functions performed in response to the depression of the key. It is clear from this that

the entry into the active mode is initiated at the start of the depression of the key and the message is transmitted at the end of the depression of the key. Therefore the Applicant maintains that the claim is clear and that no amendment is necessary to clarify these terms.

In the Office Action the Examiner has rejected claims 1-3, 5-6, 8, 16, 18-20, 22 and 23-26 on the basis that they are obvious with respect to Barrus (US 5, 410,305).

Barrus discloses a portable computer keyboard which is arranged to store data when the keyboard is not attached to the computer. The stored data can be dumped onto a computer when the keyboard is connected to a computer.

The keyboard in Barrus has a dwell or sleep mode for conserving power. The keyboard will enter sleep mode whenever there are no input commands waiting to be processed. The keyboard will remain in the low power mode until it is interrupted by a closed keyboard switch or connection of the keyboard to a host computer (column 13 lines 27 to 36). Barrus therefore discloses a method of using command or control keystrokes detected from a keyboard to provide a method of switching between modes of operation (column 10 lines 53 to 57).

Therefore, Barrus appears to disclose performing two functions in response to a single key press, namely the waking up of the key board and the determining of the key pressed. However Barrus does not disclose or suggest that these functions are performed at any specific point in time in relation to the initiation and completion of the key presses. Particularly, Barrus does not disclose or suggest that the waking up occurs at the initiation of the key press so that the keyboard is ready in the active mode when the key press has finished.

Barrus merely discloses that the microcontroller of the keyboard wakes up in response to a keystroke signal and then scans the keyboard to determine which key has been pressed (column 10 lines 39 to 41). Barrus does not disclose or suggest that the keystroke signal is sent at the initiation of the keystroke. Therefore, the Applicant contends that Barrus does not disclose or suggest all of the features of the claimed invention.

The Applicant maintains that Barrus does not disclose or suggest any distinction being made between the initiation and the completion of the user input and it is only with hindsight knowledge of the invention that any correlation can be made between the Barrus and the present invention.

Independent claim 25 includes the additional feature that the function which is performed in the second mode but not in the first mode is a communications function and also that this communications function is performed at the completion of the user input.

Barrus does not teach or suggest performing a communications function in response to the same key press which causes the keyboard to exit the low power mode. In Barrus the second function which is performed in response to the same key press which causes the keyboard to exit the low power mode is the decoding of the key press and then either encasing the data or performing the command associated with this key press. The data associated with the key press is only transmitted when the keyboard is actually connected to a host computer and the dump function has been enabled. There is no disclosure in Barrus of this occurring in response to the same key press which caused the keyboard to exit the low power mode.

In the Office Action the Examiner also states that the arguments made in the response to the previous office action are “unfounded because there is nothing on applicant’s claims about codes and queues”. The Applicant wishes to make it clear that they have not argued that their claims include the limitation of codes and queues as appears to be inferred by the Examiner. The Applicant actually stated that these were features of Barrus and furthermore, that as Barrus has these features there would be no reason that a person skilled in the art would modify the teachings of Barrus to introduce the features of the present invention. The Applicant also maintains that these arguments are still valid.

Further, the Applicant submits that although not all the rejections are addressed in the Response the Applicant does not acquiesce to these rejections.

S.N.: 10/518,735
Art Unit: 2618

In view of the arguments presented the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 1-6, 8-16, 18-20 and 22-29 and to allow each of the pending claims 1-6, 8-16, 18-20 and 22-29. Should any unresolved issue remain, the undersigned representative welcomes the opportunity to resolve them via teleconference as the Examiner may deem it appropriate to do so.

Respectfully submitted:



John A. Garrity


July 11, 2008

Date

Reg. No.: 60,470

Customer No.: 29683

HARRINGTON & SMITH, PC

4 Research Drive

Shelton, CT 06484-6212

Telephone: (203)925-9400

Facsimile: (203)944-0245

email: jgarrity@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

7-11-08
Date

Ann Okerstowich
Name of Person Making Deposit